

OFFICE OF  
THE CHAIRMANFEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

January 24, 2006

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Federal Communications Commission  
Office of the Secretary

The Honorable John Thune  
United States Senate  
383 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Thune:

Thank you for your letter expressing support for – and concerns regarding – Video Relay Service (VRS), a form of telecommunications relay service (TRS). I understand and share your concern about the impact of blocking access to VRS. I have met with a number of advocacy groups and VRS providers on this issue.

As you note in your letter, there is a petition pending at the Commission. The California Coalition of Agencies Serving the Deaf and Hard of Hearing filed a Petition for Declaratory Ruling that would make VRS interoperability a prerequisite for any provider to receive compensation from the Interstate TRS Fund. The Commission is actively considering this issue and will address it as expeditiously as possible. We have placed a copy of your correspondence in the public record for this proceeding, and will consider your comments carefully as part of our review.

I appreciate your interest and participation in this matter. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

Kevin J. Martin  
Chairman

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## United States Senate

WASHINGTON, DC 20510

October 21, 2005

The Honorable Kevin J. Martin  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20544

Dear Chairman Martin,

I am writing to you regarding a critical program for people with disabilities administered through the Federal Communications Commission, video relay services (VRS). As you know, unlike text based relay services, VRS enables deaf and hard of hearing persons to have natural, flowing conversations in their first or preferred language; American Sign Language (ASL). By enabling its users to converse at the same speed as voice telephone users, to convey emotions, and to easily interact with voice prompt telephone systems, VRS can now allow a means of communicating by phone that is truly functionally equivalent to voice telephone communications.

The extraordinary growth of VRS service over the past few years is a testament to its benefits for people who rely on sign language. The FCC has done a stellar job in promoting VRS; my understanding is that currently minutes of VRS use exceed the two million mark each month. In addition to enhancing telephone communication for prior users of text relay the new services now enable thousands of senior citizens and children who were previously unable to communicate by phone – because they could not type – to have a telephone connection to their friends, colleagues and loved ones.

In recent months I have become aware of a barrier to VRS. It has come to my attention that a single VRS provider conditions the provision of free video equipment to consumers on a exclusivity arrangement that blocks VRS customers from making calls through other VRS providers. It is my understanding that this is done both by placing a block on the Internet websites of those providers, and through contractual conditions imposed upon the provider's customers in exchange for the receipt of the provider's free video equipment.

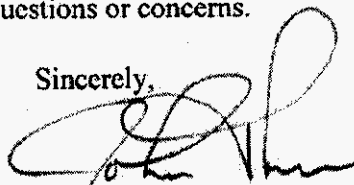
Currently, I understand that a petition to the FCC, filed by the California Coalition of the Agencies Serving the Deaf and Hard of Hearing in February of this year, charged that this blocking practice denies functionally equivalent communication service to the VRS

users. The Coalition has requested the FCC to prohibit providers who block access to other VRS providers from receiving compensation from the Interstate TRS Fund. The petition was supported by many leading national deaf and hard of hearing organizations, as well as many consumers. The primary concern is that the present scheme prevents deaf and hard of hearing consumers from having the same type of seamless telephone access that all other Americans have. I share this concern.

Allowing providers to block relay access cuts against our mutually shared goal – and the directive contained the Communications Act – to ensure the availability of relay services that are functionally equivalent to voice telephone services. Just recently, the Commission recognized the need to further this objective, through its decisions to require a VRS speed of answer, to permit compensation for video mail, and to authorize the provision of VRS conversations between ASL users and hearing people who speak Spanish. Like hearing Americans, deaf and hard of hearing individuals need telephone access to enhance their productivity and usefulness in our society.

I understand that the Commission is currently taking the California Coalition's petition under advisement. I thank you for giving this matter your immediate attention. As dependence on VRS by members of the deaf community steadily increase, it is imperative that we ensure unrestricted access to these services. Please do not hesitate to contact me if you have any other questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Thune", written over a horizontal line.

JOHN R. THUNE  
United States Senator

CC: Commissioner Kathleen Q. Abernathy  
Commissioner Michael Copps  
Commissioner Jonathan S. Adelstein  
Monica Desai, Chief, Consumer and Governmental Affairs Bureau